

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:12-CT-3047-F

HA NASI SALUT VAYI YISRAEL

Plaintiff,

v.

GERALD BRANKER,

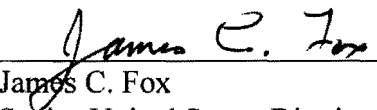
Defendant.

ORDER

Plaintiff filed this action pursuant to 42 U.S.C. § 1983. The matter is before the court on plaintiff's motion for voluntary dismissal (DE # 5). An action may be dismissed voluntarily by plaintiff without order of the court by filing a notice of dismissal at any time before service by the adverse party of an answer or a motion for summary judgment. See Fed. R.Civ. P. 41(a)(1). Otherwise an action shall not be dismissed on the plaintiff's request except upon an order of the court. See Fed. R.Civ. P. 41(a)(2). At this point, defendants have not filed any responsive pleadings. Accordingly, plaintiff's action is DISMISSED without prejudice. All pending motions are DENIED as moot.

SO ORDERED.

This, the 22nd day of March, 2012.


James C. Fox
Senior United States District Judge